

**REMARKS/ARGUMENTS**

The Examiner rejected claims 1-9 and 13-15 as being anticipated by Hara et al., U.S. Patent No. 6,430,356.

Hara et al. is directed to a system that reads data from a video cassette recorder (VCR), encodes the information in a manner suitable for transmission on a cable using IEEE 1394 format, and records the information as data on another video cassette recorder (VCR). See, Hara et al., columns 9-14. The technique taught by Hara et al. is specifically tailored to how duplicate a VCR tape onto another VCR tape while using the IEEE 1394 standard to transport the data from one machine to the other. Accordingly, Hara et al. fail to suggest a technique suitable for an MPEG transport stream.

Claim 1 patentably distinguishes over Hara et al. by claiming copying the MPEG transport stream data to a data block formatted for digital video and storing the data block on a storage medium in a digital video storage format.

Claims 2-4 depend from claim 1 and are patentable for the same reasons asserted for claim 1.

Hara et al. fail to teach a system suitable for MPEG data, and further fail to provide any recognition of any problem associated with the potential that a digital video recorder may alter the first byte of the video data block.

Claim 5 patentably distinguishes over Hara et al. by claiming copying the MPEG transport stream data to a video data block of a digital video frame not including the first byte of the video data block.

Claims 6-9 depend from claim 5 and are patentable for the same reasons asserted for claim 5.

Claim 10 patentably distinguishes over Hara et al. by claiming copying the MPEG transport stream data to a data block of a digital video frame not including the first byte of said data block. Moreover, claim 10 further patentably distinguishes over Hara et al by claiming storing the digital video frame in a digital storage medium.

In contrast, Hara et al. disclose a video cassette recorder which, while perhaps including some processing to create video frames in a suitable manner on the tape, does not do so for digital video frames, nor storage on a digital storage medium.

Claims 11-12 depend from claim 10 and are patentable for the same reasons asserted for claim 10.

Claim 13 patentably distinguishes over Hara et al. by claiming copying the transport stream data to a video data block of a digital video frame not including the first byte of said video data block.

Claims 14-15 depend from claim 13 and are patentable for the same reasons asserted for claim 13.

The Examiner rejected claims 16-17 over Hara et al. in view of Karasawa.

Hara et al. disclose a system by which data can be read from one VCR, transmitted across a IEEE 1394 connection, and written by another VCR in order to make a duplicate copy. Accordingly, Hara et al. disclose a system by which the data is inserted into the data payload portion of an isochronous packet. Hara et al. simply fail to suggest nor teach the accumulation of transport stream data equal to a digital video frame data quantity. Furthermore, there would be no need for such an accumulation, nor combination with other references such as Karasawa, since the

bandwidth available from the IEEE 1394 connection is sufficient for the data rates to duplicate VCR tapes (no need to fill the digital video frame packets).

Claims 16 and 17 patentably distinguishes over Hara et al. in view of Karasawa by claiming accumulating a quantity of the transport stream data equal to a digital video frame data quantity.

The Examiner rejected claim 18 over Karasawa.

Claim 18 patentably distinguishes over Karasawa by claiming not including the first byte of said data block.

The Examiner rejected claim 19 over Karasawa in view of Hara et al.

Claim 19 patentably distinguishes over Karasawa in view of Hara et al. by claiming not including the first byte of said data block.

The applicant respectfully requests that a timely notice of allowance be issued in this case. If the Examiner believes that for any reason direct contact with applicant's attorney would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the number below.

Respectfully submitted,

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### **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: The Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 16, 2004.

Dated: August 16, 2004

  
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Kevin L. Russell